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By:

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SANDRA OGILVIE,

Plaintiff,

vs.

HARTFORD FIRE INSURANCE COMPANY,

Defendant

Case No.: CASE NO. 1:04-CV-2757
(CAP)

**PLAINTIFFS RESPONSE TO DEFENDANT'S STATEMENT OF UNDISPUTED MATERIAL
FACTS**

Dated this 4th day of November,
2005

COMES NOW Plaintiff Sandra Ogilvie, pursuant to Local Rule 56.1, submits this Response to Defendant's Statement of Undisputed Material Facts to which Defendant Contends there is no Genuine Issue to be Tried.

Defendant's Motion for Summary Judgment contains sixty five (65) individually-numbered paragraphs containing allegations by Defendant to which they contend there is no genuine issue to be tried. Plaintiff Sandra Ogilvie responds separately to each of these individually-numbered paragraphs by admitting or denying them accordingly.

A. PLAINTIFF'S EDUCATIONAL AND EMPLOYMENT HISTORY PRIOR TO HER EMPLOYMENT WITH HARTFORD FIRE INSURANCE COMPANY.

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted

B. PLAINTIFF'S EMPLOYMENT HISTORY WITH HARTFORD FIRE INSURANCE COMPANY AND HER PERFORMANCE PRIOR TO HER APPLICATION FOR THE TEAM LEADER POSITION.

7. Admitted
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.

13. Admitted.

14. Admitted.

15. Admitted.

16. Admitted.

17. Admitted.

18. Admitted.

19. Admitted.

20. Admitted.

21. Admitted.

C. HARTFORD'S POLICIES PROHIBITING DISCRIMINATION.

22. Admitted.

23. Denied. Plaintiff has no first hand knowledge of this.

24. Admitted.

25. Denied. Policy states as such but Defendant has proven to make exceptions to policies. (Hobby Decl., 5.)

26. Denied. Policy states as such but Defendant has proven to make exceptions to policies. (Hobby Decl., 5.)

27. Admitted.

D. THE SELECTION PROCESS FOR THE TEAM LEADER POSITION AND THE DECISION TO SELECT ANOTHER CANDIDATE FOR THAT POSITION.

28. Admitted.

29. Admitted.

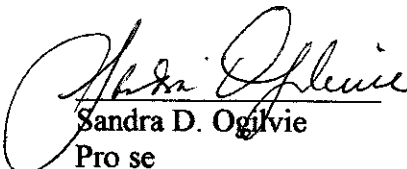
30. Admitted.
31. Admitted.
32. Admitted.
33. Admitted.
34. Denied. Breach of policy in employee's handbook. Plaintiff has no knowledge of this. (Hobby Decl., 5.)
35. Denied. Plaintiff has no knowledge of this fact.
36. Admitted.
37. Admitted.
38. Denied. Plaintiff has no knowledge of this fact to form belief.
39. Denied. Plaintiff has no knowledge of this fact to form belief.
40. Denied. Plaintiff has no knowledge of this fact to form belief.
41. Admitted.
42. Admitted.
43. Denied. Plaintiff had six years of claims adjusting experience.
44. Admitted.
45. Admitted.
46. Admitted.
47. Admitted.
48. Admitted.
49. Denied. Plaintiff had no knowledge of this fact to form belief.
50. Denied. Plaintiff had no knowledge of this fact to form belief.
51. Admitted.
52. Denied. Plaintiff had no knowledge of this fact to form belief.

- 53. Denied. Plaintiff had no knowledge of this fact to form belief.
- 54. Denied. Plaintiff had no knowledge of this fact to form belief.
- 55. Denied. Plaintiff had no knowledge of this fact to form belief.
- 56. Denied. Plaintiff had no knowledge of this fact to form belief.
- 57. Admitted.
- 58. Denied. Ms. Willhite praised plaintiff on training others as well as her work. (Willhite Dep. pp 19-20)
- 59. Denied. Plaintiff admits she was better qualified than Ms. Sautel.
- 60. Admitted.
- 61. Admitted.

E. PLAINTIFF'S EEOC CHARGE AND COMPLAINT OF RACE DISCRIMINATION.

- 62. Admitted.
- 63. Admitted.
- 64. Admitted.
- 65. Admitted.

Respectfully submitted this 4th day of November, 2005.


Sandra D. Ogilvie
Pro se

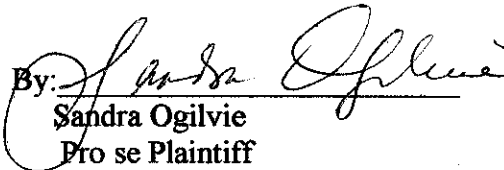
CERTIFICATE OF SERVICE

I hereby certify that I have this date served opposing counsel listed below with a true and complete copy of the foregoing **PLAINTIFF'S RESPONSE TO DEFENDANT'S STATEMENT OF MATERIAL FACTS TO WHICH DEFENDANT CONTENDS THERE IS NO GENUINE ISSUE FOR TRIAL** by placing same in the U.S. Mail with adequate postage thereon for delivery as follows:

Littler Mendelson
3348 Peachtree Rd, N.E. Suite 1100
Atlanta, GA 30326-1008

This 4th day of November, 2005.

Respectfully submitted,

By: 
Sandra Ogilvie
Pro se Plaintiff

2617 Whites Mills Rd
Decatur, GA 30034